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EÖZSÖÖÄFFDHE

6 Counsel for Defendant Keven Yang

7 **UNITED STATES DISTRICT COURT**  
8 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
9 **SAN JOSE DIVISION**

10  
11 UNITED STATES,

12 Plaintiff,

13 v.  
14

15 KEVEN CHEN CHIEH YANG,

16 Defendant.  
17

Case No. CR 11-00472 RMW

**STIPULATION AND []**  
**ORDER TO CONTINUE SENTENCING**  
**HEARING**

Date: November 12, 2013

Time: 9:00 a.m.

Court: The Hon. Ronald M. Whyte

18  
19 It is hereby stipulated between the parties, Michael W. Armstrong, attorney for defendant,  
20 Keven Yang, and Daniel Kaleba, Assistant United States Attorney for the United States of  
21 America, that the presently scheduled sentencing hearing of November 12, 2013 be rescheduled to  
22 Monday, January 6, 2014, at 9:00 a.m. before the Honorable Ronald M. Whyte.

23 Defendant's counsel, Michael W. Armstrong, requests this extension because the probation  
24 interview was only recently concluded, and the probation officer needs more time to complete her  
25 report. She agrees with the proposed date.

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1 The parties agree that the time between November 12, 2013 through January 6, 2014 is  
2 properly excluded pursuant to the Speedy Trial Act, Title 18 United States Code, sections  
3 3161(h)(7)(A) and 3161(h)(7)(B)(iv) in the interests of justice.

4 SO STIPULATED:

5 NOLAN, ARMSTRONG & BARTON

6  
7  
8 Dated: November 4, 2013

\_\_\_\_\_/s/\_\_\_\_\_  
MICHAEL W. ARMSTRONG  
Attorney for Defendant KEVEN YANG

10 MELINDA HAAG  
11 United States Attorney

12  
13 Dated: November 4, 2013

\_\_\_\_\_/s/\_\_\_\_\_  
DANIEL KALEBA  
Assistant United States Attorney

14  
15  
16 **ORDER**

17  
18 For the foregoing reasons, the Court continues the sentencing hearing in this case from  
19 November 12, 2013 to January 6, 2014 at 9:00 a.m. For the reasons stated above, the Court  
20 further finds that the ends of justice served by granting the requested continuance outweigh the  
21 best interests of the public and the defendant in a speedy trial. See U.S.C. § 3161(h)(7)(A) and  
22 3161(h)(8)(7)(iv). Accordingly, time shall be excluded from November 12, 2013 through January  
23 6, 2014.

24 SO ORDERED.

25 Dated: November <sup>i</sup>\_\_\_\_\_, 2013

*Ronald M. Whyte*  
\_\_\_\_\_  
THE HONORABLE RONALD M. WHYTE  
U.S. DISTRICT COURT JUDGE